

REMARKS

In summary, claims 14, 15, and 17-28 are pending. Claims 14 and 15 are rejected under 35 U.S.C. §102. Claims 17-28 previously have been withdrawn from consideration. Applicant respectfully traverses the rejection of claims 14 and 15. Claim 14 is amended. No new matter is added.

Rejection Of Claims Under 35 U.S.C. §103

Claims 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,057,051, issued to Uchida *et al.* (hereinafter referred to as “Uchida *et al.*”) in view of U.S. Patent No. 6,093,500, issued to Margiott *et al.* (hereinafter referred to as “Margiott *et al.*”).

Uchida *et al.* and Margiott *et al.* whether considered separately or together, neither disclose nor suggest “a battery configured to provide power to the fuel cell ... the fuel cell configured to ... generate electrical power for the processing system; and recharge the battery,” as recited in amended claim 14.

Uchida *et al.* teaches a miniaturized polymer electrolyte fuel cell using hydrogen as fuel and air as an oxidant to power portable electronic equipment. (Abstract; Column 1, lines 8-10). Uchida *et al.* nowhere discloses a battery configured to provide power to the fuel cell, and nowhere discloses recharging the battery with a portion of the power generated by the fuel cell. Combining Margiott *et al.* with Uchida *et al.* does not alleviate this deficiency.

Margiott *et al.* discloses a method and apparatus for changing the state of operation of a fuel cell, such as starting the fuel cell up or shutting the fuel cell down. An idle load is applied to the fuel cell when the cell temperature is between about normal operating temperature and a transition temperature, and fuel and oxidizer are supplied to the fuel cell commensurate with the power delivered to the idle load. Below the transition temperature, purging/passivation procedures known in the art can be followed, and an open or dummy load applied to the fuel cell. At normal operating temperature or above a service load is applied to the fuel cell. (Abstract).

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Because Uchida *et al.* and Margiott *et al.*, whether considered separately or together, neither disclose nor suggest “a battery configured to provide power to the fuel cell ... the fuel cell configured to ... generate electrical power for the processing system; and recharge the battery,” it is requested that the rejection of claims 14 and 15, under 35 U.S.C. §103, be reconsidered and withdrawn.

CONCLUSION

It is requested that the forgoing arguments, remarks, and amendments be entered, and in view thereof, it is respectfully submitted that this application is in condition for allowance. Reconsideration of this application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow this application for any reason, the Examiner is encouraged to contact the undersigned attorney to discuss resolution of any remaining issues.

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